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Trustee  
8

9 **UNITED STATES BANKRUPTCY COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 **LOS ANGELES DIVISION**

12 In re Case No. 2:20-bk-21022-BR

13 GIRARDI KEESE,

Chapter 7

14 **STIPULATION AUTHORIZING**  
15 **PAYMENT OF CLIENT'S SETTLEMENT**  
16 **FUNDS AND FEES AND EXPENSES TO**  
17 **BE DISBURSED TO THE ESTATE AND**  
18 **TO CO-COUNSEL**

[No Hearing Required]

Debtor.

19 **TO THE HONORABLE BARRY RUSSELL, UNITED STATES BANKRUPTCY JUDGE:**

20 Elissa D. Miller, the chapter 7 trustee of the bankruptcy estate of Girardi Keese  
21 (the "Trustee"), by and through her attorneys, Smiley Wang-Ekvall, LLP, The Cochran  
22 Firm - California ("Cochran"), Yrjö Timonen and Kirsi Piha-Timonen (collectively, the  
23 "Client"), and Mary Alexander & Associates, P.C. ("Alexander"), enter into this *Stipulation*  
24 *Authorizing Payment of Client's Settlement Funds and Fees and Expenses to be*  
25 *Disbursed to the Estate and Co-Counsel* (the "Stipulation") as follows:

26 **RECITALS**

27 A. On December 18, 2020 (the "Petition Date"), an involuntary chapter 7  
28 bankruptcy petition ("Petition") was filed against Girardi Keese ("Debtor"). As of the filing

1 of the involuntary petition, Debtor was counsel of record in a significant number of  
2 matters which were undertaken on a contingency basis.

3       B.      The petitioning creditors moved for the appointment of an interim trustee  
4 which was granted by the Court by order entered January 5, 2021. The Trustee was  
5 appointed as the interim chapter 7 trustee of the bankruptcy estate of Girardi Keesee (the  
6 "Estate") on January 6, 2021. The order for relief was entered January 13, 2021 and, the  
7 same date, the Trustee was reappointed and has been serving in that capacity since.

8       C.      Prior to the petition date, Debtor and Cochran were retained by the Client  
9 and commenced an action against various defendants in connection with a fire at a  
10 building known Ghost Ship (the "Litigation"). The Litigation was recently resolved  
11 pursuant to a confidential settlement agreement.

12       D.      The retention agreement between the Debtor, Cochran and the Client  
13 provided that Cochran and the Debtor would receive a percentage of the total recovery  
14 from their representation of the Client, plus costs.

15       E.      Alexander is currently holding the first settlement payment due to the Client,  
16 inclusive of fees and costs due to the Debtor and Cochran, in its trust account (the "First  
17 Settlement Payment"). A final settlement payment, inclusive of fees and costs due to the  
18 Debtor and Cochran, is due to be paid by the defendants on or before August 31, 2021  
19 (the "Final Settlement Payment"). The First Settlement Payment and the Final  
20 Settlement Payment are sometimes collectively referred to as the "Settlement Proceeds."

21       F.      In addition to the Settlement Proceeds which are either already in  
22 Alexander's possession or which are anticipated on or before August 31, 2021, additional  
23 settlement proceeds may be forthcoming from Chor Ng, one of the defendants. The  
24 amount and timing of those payments are uncertain.

25       G.      Based on the First Settlement Payment currently held by Alexander, the  
26 Debtor and Cochran are entitled to share a \$562,500.00 contingency fee equally, or  
27 \$281,250.00 each.

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1 H. Cochran has no reimbursable costs. The Debtor incurred \$352,924.26 in  
2 total costs, of which \$157,703.92 is allocated to the Client based on the Client's  
3 settlement amount relative to the settlement amounts to be received by other plaintiffs  
4 represented by the Debtor. The Final Settlement Payment, which is due on or before  
5 August 31, 2021, will entitle the Debtor and Cochran to share an additional contingency  
6 fee of \$131,250.00 equally, or \$65,625.00 each.

7 I. In order to avoid any reluctance on the part of Alexander to remit the  
8 Settlement Proceeds to the Trustee, the parties have entered into this Stipulation setting  
9 out the costs to be deducted from the Settlement Proceeds and the allocation of the  
10 contingency fee between Cochran and the Debtor, with the balance of the Settlement  
11 Proceeds being remitted to the Client.

## **STIPULATION**

In light of the foregoing, the parties stipulate as follows:

15           1. Alexander is authorized and directed to remit the First Installment to the  
16 Trustee;

17 | 2. The Trustee will disburse the First Installment as follows:

18                   (a)     \$157,703.92 in costs to the Trustee, on behalf of the Estate;  
19                   (b)     \$281,250.00 to Cochran as its allocation of the contingency fee from  
20                   the First Installment;

21 (c) \$281,250.00 to Trustee, on behalf of the Estate, as the Debtor's  
22 allocation of the contingency fee from the First Installment:

23 (d) The balance to the Client.

24       3. Upon receipt of the Final Installment, Alexander is authorized and directed  
25 to remit the proceeds to the Trustee:

4. The Trustee will disburse the Final Installment as follows:

(b) \$65,625.00 to the Trustee, on behalf of the Estate, as the Debtor's allocation of the contingency fee from the Final Installment; and

(c) The balance to the Client.

5. To the extent Alexander receives additional settlement payments from Chor Ng, Alexander is authorized and directed to remit those payments to the Trustee, who will allocate the agreed-upon contingency fee equally between Cochran and the Trustee, with the balance to be remitted to the Client.

**IT IS SO STIPULATED.**

DATED: February 24, 2021 SMILEY WANG-EKVALL, LLP

SMILEY WANG-EKVALL, LLP

By: /s/ *Lei Lei Wang Ekvall*

LEI LEI WANG EKVALL

Attorneys for Elissa D. Miller, Chapter 7  
Trustee

DATED: February 23 , 2021

## THE COCHRAN FIRM - CALIFORNIA

By:



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MARCELIS F MORRIS

DATED: February . 2021

ALEXANDER & ASSOCIATES, P.C.

By

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MARY E ALEXANDER MPH ID

DATED: February 2021

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YRJÖ TIMONEN

DATED: February , 2021

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KIRSI PIHA-TIMONEN

3. Upon receipt of the Final Installment, Alexander is authorized and directed to remit the proceeds to the Trustee;

4. The Trustee will disburse the Final Installment as follows:

(a) \$65,625.00 to Cochran as its allocation of the contingency fee from the Final Installment; and

(b) \$65,625.00 to the Trustee, on behalf of the Estate, as the Debtor's allocation of the contingency fee from the Final Installment; and

(c) The balance to the Client.

5. To the extent Alexander receives additional settlement payments from Chor Ng, Alexander is authorized and directed to remit those payments to the Trustee, who will allocate the agreed-upon contingency fee equally between Cochran and the Trustee, with the balance to be remitted to the Client.

**IT IS SO STIPULATED.**

DATED: February \_\_\_, 2021 SMILEY WANG-EKVALL, LLP

By:

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LEI LEI WANG EKVALL

Attorneys for Elissa D. Miller, Chapter 7

Trustee

DATED: February \_\_\_, 2021 THE COCHRAN FIRM - CALIFORNIA

By:

---

MARCELIS E. MORRIS

DATED: February 24, 2021 ALEXANDER & ASSOCIATES, P.C.

By: Mary E. Alexander  
MARY E. ALEXANDER, MPH, JD

DATED: February 22, 2021



YRJÖ TIMONEN

DATED: February \_\_\_, 2021

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KIRSI PIHA-TIMONEN

1                             (b)     \$65,625.00 to the Trustee, on behalf of the Estate, as the Debtor's  
2 allocation of the contingency fee from the Final Installment; and

3                             (c)     The balance to the Client.

4       5. To the extent Alexander receives additional settlement payments from Chor  
5 Ng, Alexander is authorized and directed to remit those payments to the Trustee, who will  
6 allocate the agreed-upon contingency fee equally between Cochran and the Trustee, with  
7 the balance to be remitted to the Client.

8                             **IT IS SO STIPULATED.**

9                             DATED: February \_\_\_, 2021

SMILEY WANG-EKVALL, LLP

10                          By:

LEI LEI WANG EKVALL  
Attorneys for Elissa D. Miller, Chapter 7  
Trustee

11                          DATED: February \_\_\_, 2021

THE COCHRAN FIRM - CALIFORNIA

12                          By:

MARCELIS E. MORRIS

13                          DATED: February 24, 2021

ALEXANDER & ASSOCIATES, P.C.

14                          By:

*Mary E. Alexander*

MARY E. ALEXANDER, MPH, JD

15                          DATED: February \_\_\_, 2021

YRJÖ TIMONEN

16                          DATED: February 23, 2021

*Kirsi Piha-Timonen*  
KIRSI PIHA-TIMONEN

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 3200 Park Center Drive, Suite 250, Costa Mesa, CA 92626.

A true and correct copy of the foregoing document entitled (*specify*): **STIPULATION AUTHORIZING PAYMENT OF CLIENT'S SETTLEMENT FUNDS AND FEES AND EXPENSES TO BE DISBURSED TO THE ESTATE AND TO CO-COUNSEL** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) February 26, 2021 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page.

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) February 26, 2021, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Honorable Barry Russell  
U.S. Bankruptcy Court  
Roybal Federal Building  
255 E. Temple Street, Suite 1660  
Los Angeles, CA 90012

Service information continued on attached page.

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*)                 , I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

February 26, 2021  

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Date

Gabriela Gomez-Cruz  

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Printed Name

/s/ Gabriela Gomez-Cruz  

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Signature

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**ADDITIONAL SERVICE INFORMATION (if needed):**

**1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")**

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